

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1)	VASANT PATEL, an individual, and)	
(2)	RINA PARK, LLC, an Oklahoma)	
	LLC d/b/a LaQuinta Inn & Suites)	
)	
	Plaintiffs,)	
)	
v.)	Case No. 13-CV-284-GKF-FHM
)	
(1)	PRINCETON EXCESS & SURPLUS)	
	LINES INSURANCE COMPANY,)	
)	
	Defendant.)	

NOTICE OF REMOVAL

TO: The Honorable Judges of the United States District Court for the Northern District of Oklahoma.

Pursuant to and in compliance with 28 U.S.C. §§ 1332, 1441 and 1446, and Local Civil Rule 81.2, the removing party, Defendant, Princeton Excess & Surplus Lines Insurance Company (“Defendant”), by their undersigned attorney, respectfully show this Court as follows:

1. Princeton Excess & Surplus Lines Insurance Company is the Defendant in a civil state court action entitled *Vasant Patel and Rina Park, LLC d/b/a LaQuinta Inn & Suites v. Princeton Excess & Surplus Lines Insurance Company*, Case Number CJ-2013-112, in the District Court of Washington County, State of Oklahoma, in which Plaintiffs assert claims for damages against Defendant for alleged breach of contract and alleged breach of the duty of good faith and fair dealing. A copy of Plaintiffs’ Original Petition against said Defendant is attached hereto as Exhibit 1.

2. Defendant Princeton Excess & Surplus Lines Insurance Company was served with Petition and Summons in the action on April 18, 2013. A copy of said summons is attached hereto as Exhibit 2.

3. Plaintiff Vasant Patel, an individual, is a citizen of the State of Oklahoma.

4. Plaintiff Rina Park, LLC, is organized under the laws of the State of Oklahoma as a limited liability company whose principal place of business is in the State of Oklahoma and whose members, although currently unknown to Defendant, are believed to be citizens of Oklahoma. Therefore, Rina Park, LLC is a citizen of Oklahoma.

5. Defendant Princeton Excess & Surplus Lines Insurance Company is a corporation incorporated under the laws of the State of Delaware, having its principal place of business in the State of New Jersey, and as such is a citizen of both Delaware and New Jersey.

6. Plaintiffs have alleged in their Petition that they “have incurred consequential damages, incidental expenses and have been denied the benefit of their insurance bargain in an amount exceeding \$75,000.00.” Therefore, it is clear on the face of the Petition that the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

7. Federal subject matter jurisdiction in this action exists by reason of diversity of citizenship and an amount in controversy that exceeds the sum of \$75,000.00, exclusive of interests and costs, pursuant to 28 U.S.C. § 1332(a). Therefore, this Court has jurisdiction over this matter.

8. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely filed because the civil state court action is being removed within the statutorily allowed thirty (30) day period after Defendant received a copy of the Petition.

9. Pursuant to 28 U.S.C. § 1446(a) copies of all process, pleadings, or orders served upon Defendant at the time of removal are attached hereto as Exhibits 1 and 2, previously identified above. There have been no Orders entered by the State Court Judge and there are no motions pending before the Court at the time of removal.

10. Pursuant to Local Civil Rule 81.2 of the United States District Court for the Northern District of Oklahoma, a copy of the State Court's Docket Sheet at the time of removal is attached hereto as Exhibit 3.

11. Pursuant to 28 U.S.C. § 1446(d), and contemporaneously with the filing of this Notice of Removal, Defendant has provided written Notice of Filing Notice of Removal to Plaintiffs and filed same with the Clerk of the District Court of Washington County, Oklahoma, the court in which the civil state court action was filed.

WHEREFORE, for all of the reasons set forth above, Defendant removes the above-entitled action from the District Court of Washington County, State of Oklahoma, to the United States District Court for the Northern District of Oklahoma and invokes this Court's jurisdiction.

Respectfully submitted,

s/ George W. Braly
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Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of May 2013, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing. Based on the electronic records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrant:

Robert J. Winter

s/ George W. Braly
George W. Braly, OBA#1056